

REMARKS

Claims 1-12 stand rejected under 35 USC §103 as being unpatentable over U.S. Patent 6,397,044 (Nash et al.) in view of U.S. Patent 6,215,989 (Otaka) and claims 5 and 11 stand rejected under 35 USC §103 as being unpatentable over Nash et al. in view of Otaka further in view of Hickman.

✍ The present application is assigned to Nokia Mobile Phones, Ltd. A copy of the recorded assignment reflecting assignment to Nokia Mobile Phones, Ltd. is submitted herewith.

It is noted that United States Patent 6,397,044 (Nash et al.) is also assigned to Nokia Mobile Phones, Ltd. See the front page of the '044 patent.

In accordance with MPEP §706.02(i)(1) rejection under 35 USC §103 relying upon a reference being prior art under 35 USC §102(e) cannot be made after November 29, 1999. That is the situation of the present application since the Nash et al. is only a §102(e) reference in view of its filing date of December 17, 1999, which is before the June 23, 2000 filing date of the present application.

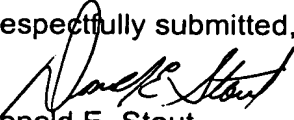
Accordingly, it is submitted that the Examiner's rejections of the claims is erroneous since the primary reference is not prior art.

An early action on the merits in response to the above remarks is respectfully requested.

Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, or credit any overpayment of fees, to the

deposit account of Antonelli, Terry, Stout & Kraus, LLP, Deposit Account No. 01-2135 (referencing case no. 367.38669X00).

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Donald E. Stout", is written over the typed name.

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BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

FURMIDGE, SIMON

DOC DATE: 06/05/2000

ASSIGNEE:

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SERIAL NUMBER: 09599948
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